

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

OHIO PUBLIC EMPLOYEES RETIREMENT)
SYSTEM, On Behalf of Itself and all Others)
Similarly Situated,) CIVIL ACTION NO. 4:08-CV-00160
Plaintiff,) JUDGE BENITA Y. PEARSON
v.) MAGISTRATE JUDGE
FEDERAL HOME LOAN MORTGAGE) WILLIAM H. BAUGHMAN, JR.
CORPORATION, a/k/a FREDDIE MAC,)
RICHARD F. SYRON, PATRICIA L. COOK,)
ANTHONY S. PISZEL AND EUGENE M.)
McQUADE,)
Defendants.)

**DEFENDANT FREDDIE MAC'S MOTION
TO STRIKE REPORTS AND EXCLUDE THE TESTIMONY OF
DR. STEVEN P. FEINSTEIN AND FOR AN EVIDENTIARY HEARING**

[ORAL ARGUMENT REQUESTED]

Defendant Federal Home Loan Mortgage Corporation ("Freddie Mac") hereby moves this Court to enter an order excluding any and all testimony from Lead Plaintiff's putative expert witness, Dr. Steven P. Feinstein, on the subject of market efficiency, and strike his reports on the subject as set forth in his report filed with this Court at ECF Nos. 372-3 and 406-1. Dr. Feinstein's opinions on the subject of market efficiency are unreliable and, therefore, do not meet the threshold of admissibility for expert evidence set forth in Rules 403 and 702 of the Federal Rules of Evidence. Freddie Mac also moves this Court to hold an evidentiary hearing at which the Court may further test the reliability of Dr. Feinstein's opinions. In support of this Motion, Freddie Mac relies on its Memorandum of Law, filed contemporaneously herewith.

Respectfully submitted,

Dated: February 12, 2018

**FEDERAL HOME LOAN MORTGAGE
CORPORATION**

By its attorneys,

/s/ Hugh E. McKay

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CERTIFICATE OF SERVICE

I hereby certify that on February 12, 2018, a copy of the foregoing “DEFENDANT FREDDIE MAC’S MOTION TO STRIKE REPORTS AND EXCLUDE THE TESTIMONY OF DR. STEVEN P. FEINSTEIN AND FOR AN EVIDENTIARY HEARING” was filed electronically. Notice of this filing will be sent by operation of the Court’s CM/ECF system to all parties indicated on the electronic filing receipt. This filing may be accessed through the Court’s CM/ECF system.

/s/ Hugh E. McKay

Hugh E. McKay